

**Town of Bethany Beach
Planning Commission Minutes
April 21, 2007**

The Bethany Beach Planning Commission held a meeting on Saturday, April 21, 2007 in the Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, DE 19930.

The following members were present: Kathleen Mink, who presided, Lew Killmer, Donald Doyle, Lonny Moore and Fulton Loppatto.

Also present: Councilman Tracy Mulligan, Councilman Steve Wode, John Eckrich, Building Inspector, Seville Pettit, Administrative Secretary and interested members of the public.

The meeting was called to order at 9:05 a.m.

OPENING OF MEETING

Approval of Agenda

Mr. Killmer made a motion to approve the agenda. The motion was seconded by Mr. Doyle and unanimously approved.

Discussion/Approval of Planning Commission Minutes dated March 17, 2007

Ms. Mink stated there were different versions of minutes distributed. In the minutes that were distributed Friday via email, there were two key points that were changed. The first key point was the height of a fence. The height of the fence was stated to be up to eight feet and there was a discussion of needed a variance because the town code was six feet, but if it becomes apart of the conditions and limitations it will not need a variance.

The second key point the Planning Commission members reviewed the ordinance to amend Section 245-61. After the Conditions and Limitations section was reviewed, there was a motion and then there was a discussion of the decibel levels. It was a discussion point not part of the motion.

Mr. Doyle made a motion to approve the minutes as amended. The motion was seconded by Mr. Killmer and unanimously approved. Mr. Loppatto abstained, due to an excused absence.

Announcements/ Comments/ Updates

Commercial Design Review Committee (CDRC) (Doyle)

Mr. Doyle stated the meeting focused on general issues around Captain Jack's miniature golf course, which is currently under construction. There will be no light shining onto neighboring properties. The lighting design has been developed by the business owner's

contractor, Apple Electric. The palm trees on the property will be equipped with small lights and the height of the trees are 16' feet with the leaves pointing upwards.

Mr. Killmer added that the review was requested and conducted as a courtesy gesture offered by the business owner, due to the project not coming under the Commercial Design Guidelines. The owner/applicant has done everything that the Town requested her to do.

Town Council decision on co-signing Planning Commission's memo to Sussex County Council, et. Al. regarding pending update to Sussex County Comprehensive Plan. Next Steps. (Mink)

Ms. Mink announced the Town Council approved co-signing the memo to the Sussex County Council. Two changes, reflecting the Town Council as co-signer, was made to the Planning Commission's memo, mailed to the previously agreed-upon recipients.

Town Council Updates (Killmer)

Mr. Killmer stated that everyone who attended the Town Council's April 16, 2007 workshop was present at this Planning Commission meeting, and there was agreement of no need to recap that session. He reported that he attended a one-day workshop on sidewalks offered by the University of Delaware. Their focus was on safety, maintenance and considerations when creating sidewalks. One of the considerations that was presented is to start an escrow and when enough money is accumulated, the project is able to be started and the cycle keeps going.

Comments, Questions & Answers discussion for Planning Commission members

There were no questions to discuss at this time.

PUBLIC COMMENT/ QUESTIONS

Mr. Don Costello questioned if the memo sent to the Sussex County Council be available on the website and to the public.

Ms. Mink stated that she will communicate with the Town Manager to see if the memo may be included in a newsletter and/or posted on the new website.

Mr. Don Costello added as the Planning Commissioners address the sidewalks, hopefully the incursion of driveways across the Town right-of-way will be addressed also.

NEW BUSINESS

Discussion/ decision on proposed amendments to current Signage regulations submitted to Planning Commission by Commercial Architectural Design Committee

The Planning Commission members reviewed and made comments on the proposed amendments to the current Signage regulation. After discussion, reviewing and commenting the Planning Commission approved a motion to recommend the Signage regulations as amended. All were in favor.

The Signage regulation will be edited to include the Planning Commission's recommendations, forwarded by Mr. Killmer to the Commercial Architectural Design Committee for its final approval with the new recommendations and then it will go to Town Council. The regulation will require a Public Hearing, Council's vote and if approved will be added to the Architectural Guidelines in Chapter 245, Zoning.

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Action Items

1. Mr. Killmer to address CORC with some issues identified during the Planning Commission's review of the proposed Signage & Outdoor Illumination amendments.